

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

April 14, 2014

7:00 p.m.

Present: Andy Celcherts
Katie Gallagher
Tony DeMarco
Kathy Pucci
Mary Balbier
Kevin Tanski

Absent: Ron Van Kirk

Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION by Tanski, second by Celcherts to approve the minutes from the meeting of March 10, 2014.
VOTE RESULTED: *Approve:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None.
(APPROVED)

President Gallagher said there is a request for bids and seven ordinances, five new. The Service Dir. is requesting approval to advertise for 2014 street repair program and Historical Society parking lot pavement. The streets on this year's program: Bentwood (north and south), Rodoan (south), Outlook (north and south). Ord. 2014-21 would allow the Mayor to amend the agreement with the Zashin and Rich law firm to pay an additional \$25,000 for legal fees relating to contract negotiations. The city currently owes \$9,000 for already rendered services, and the Administration is asking for additional money to pay for a finding and conciliation with the Fire union. Ord. 2014-22 modifies Day Camp fees for residents (from \$215-\$250 to \$215-\$300 for six weeks; Parma Hts. and corporate, from \$275-\$320 now to \$275-\$370). Ord. 2014-23 authorizes the Police Chief to purchase a digital voice recording system for the Police Dept. for \$15,995 (to record 911 calls and radio transmissions, and replacing old unit); Ord. 2014-24, authorizes the Police Chief to purchase four new vehicles for the Dept. (total \$144,692). Ord. 2014-25, repeals an ordinance limiting maximum hours for part-time employees. Council will hold an executive session at the end of the meeting to discuss possible litigation and matters relating to personnel; with no further business when they reconvene.

PUBLIC SESSION:

John Visnauskas of Parma and Old Brooklyn, represents All Faiths Pantry. He said Brooklyn has no hunger programs (food bank agencies). They deliver groceries to homebound and seniors (those who cannot physically go to other neighborhood hunger centers). They have a few Brooklyn clients who take part, and once a month deliver to them. They have now started produce distribution, but could not find a home in Brooklyn for it, so they will be at Gloria Dei Church on Memphis. Residents of Brooklyn, Old Brooklyn and Brooklyn Centre (Cleveland) are invited; declare their income below the allowable amount, and leave with produce. It's the fourth Saturday of every month, April-November. He left brochures and business cards; he also asked to refer those who are temporarily or permanently disabled for grocery delivery. They are an independent non-profit, and they have a fundraiser coming up also. (information will be at reception area)

Carl Etheridge of 4137 Rabbit Run Dr., thanked the Mayor and Councilmembers Gallagher and Celcherts for attending and part of the Support the Levy spaghetti dinner; further thanking Councilmembers Celcherts and Pucci for donating raffle baskets. Thanked those who attended that he didn't personally see (Council, residents, families, students, etc.) for their support. Asking City Council to take off the table the Resolution supporting the levy, and show support for the renewal levy in May, to show they believe in children getting a strong education. Quoted from a commentary on "The importance of education, an economics view." He asked not to leave our children behind, and give our children every opportunity to get a great education. He asked for people to vote yes on Issue 2 on May 6th.

Bonnie Bartczak of 4831 Ridge Rd., thanked Councilmembers Balbier, Celcherts, Gallagher and Pucci for donated baskets; and those who attended the spaghetti dinner. Also thanked the over 200 people who came and made the dinner a success and supported the schools. Reminded that May 6th there is a renewal on the ballot, no new money, and crucial to the future of the students, schools and community. Asked to vote yes on Issue 2 on May 6th. Thanked everyone again for their support.

Grant Goodrich of 812 Huron Rd., representing the Campaign to Keep Cleveland Strong, asking for a yes vote May 6th on Issue 7, renewing the excise tax on alcohol and cigarettes for downtown sports facilities. Briefly spoke on the background and importance of the renewal issue. The excise tax is 4.5 cents/pack of cigarettes; 1.5 cents/12 oz beer; 1 cent/glass wine, cider, hard alcohol- used for the construction of three professional sports facilities. It expires Sept. 2015, and they would like funds used for major maintenance repairs on these facilities. It's a 20 year renewal. If it doesn't pass, the funds will have to come from elsewhere in the County's general fund. Again asked for support.

President Gallagher corrected a misstated amount in the Zashin, Rich legislation. The amount should be \$20,000 not \$25,000.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Comm. met at 6:30 and recommended approving all new legislation on the agenda. Had preliminary discussion with Dir. Enovitch about potential upgrades to financial software system.

Economic Develop. Committee (Councilwoman Pucci): The Comm. will meet April 16th at 9:30 a.m. in the City Hall conference room.

Recreation Board (Councilman Tanski): The next Rec Bd. meeting will be April 21st at 7 p.m. in the Mayor's Court.

School Board (Councilman Celcherts): The Bd. held a work session April 1st for contract for the stadium press box work. Support Our Schools spaghetti dinner was held April 5th with over 200 people attended. The Board's next meeting is April 15th at 6 p.m. in room 173 at the High School. All are welcome to attend. The next regular meeting is scheduled tentatively for May 20th. There's a blood drive at the high school on April 16th, 8 a.m. to 2 p.m., walk-ins welcome, or call ahead at 485-8100 ext 8503. For \$5/ticket you can win a trip to Myrtle Beach, ticket draw at Support Our Schools levy parade. April 28th will be the levy parade, details will follow. May 6th election has Issue #2, the renewal levy. National Bike Month will be celebrated May 10th with a bike rodeo (child must be wearing helmet) and Touch a Truck event from 9-11 a.m. at Ridge Park Square. Many vehicles will be on site. Contact Haley Toerek for additional info at haley.toerek@brooklyn.k12.of.us or 216-485-8176. The school project is starting, he received an e-mail from the project manager that there will be videotaping of adjacent properties and roadways on April 16th.

Zoning Bd. of Appeals (Comm. Fitzgerald): The Bd. will meet April 17th at 6 p.m. to hear: request from Be Next Awning and Graphics for variances to install a pole sign at 4295 Tiedeman (Prime Station gas station, to become a Sunoco).

Domestic Violence Committee (Councilwoman Gallagher): The Comm. will meet April 16th at 7 p.m. in the Senior Center.

Planning Commission (Katie Gallagher): The Comm. met April 3rd at 6 p.m. for: approved a request from Ruff Neon and Lighting Maintenance, Inc. to place additional illuminated sign on the existing free standing multiple sign panel for the identification of Ridge Park Square businesses located at 4768 Ridge Road; deferred a request from Be Next Awnings and Graphics Inc. to place a new illuminated pole signage and canopy signage located at 4295 Tiedeman for business identification of Santmyer Oil Co.; approved a request from TDA Architecture for 107,000 sq. foot new building construction of the middle/elementary school located at 9200 Biddulph Road (the requested traffic study was completed; and the fence was not required around the detention basin unless it appears to become necessary.

REPORTS OF COUNCIL:

Andy Celcherts: Commented that a resident e-mailed him about a recycling container left on their treelawn. While he passed the info along, he also questioned the merit of the e-mail, as there was no contact info from the sender (name, address, phone). He also had e-mails relating to city streets, with names, addresses and phone numbers, so he could go in person to see and speak to the people with issues. He would honor anonymity requests after he visits/speaks to a resident. At the last Council meeting Council approved the budget, which included an increase for streets. He has sent a prepared draft to Public Works and then Council and outlined for the next four to five years recommended streets that need to be addressed. March 29th he and Councilwoman Balbier attended a seminar for newly elected Councilmembers from the Ohio Municipal League, addressing items like Home Rule, Council powers and procedures, bidding, purchasing, contracting, financing, liabilities, open meetings and public records. He also attended a Sustainability meeting held recently, and they talked about lighting. He would like to replace the current lighting outside of the Service Garage replaced with new LED lights, resulting in long-term less costs, and more life to the lights. Stated he's in favor of the school's renewal levy. This project at the High School will make an impression and be a footprint for the next 40-50 years, and it has to be made right. He hopes the residents vote in favor of this renewal. Wished everyone a joyous and peaceful Easter holiday.

Tony DeMarco: Said last Thursday there was a meeting for some residents hosted by the Economic Development Dir. to get input on positives and negatives in the city, some suggestions on doing better. Thanked those residents who took part, letting us know where we're falling short, and doing well. Many residents will receive invitations to upcoming meetings, and he asked that they consider coming to provide ideas and help the city, and participate. Asked residents to consider their financial situation, and the value of the public schools to the city, and to support the renewal levy. There is a plan that needs the funds to execute it, and he hopes the residents give the schools the opportunity to do it. Wished everyone a happy Easter.

Kathy Pucci: The Safe Routes to School Comm. had two meetings, April 4th and April 10th. Councilman Celcherts covered most of it. She added that they appreciate Ridge Park allow their space to be used. National Bike Month encourages awareness for safer routes for bicycling and walking, emphasizing increasing physical activity, pedestrian safety, and other. The Walk to School event is in October. Will pass along the info also to be included on the city website and the Recreation sign, that it's for pre-K and students who attend a school in Brooklyn. She supports the school renewal, which is not an increase, and is critical to the financial stability of the school system; she encourages residents to support it also. Early voting started, and vote by mail requests have to be sent in. Asked Comm. Fitzgerald if there are plans to fix up the Prime gas station on Tiedeman/Memphis as it looks shabby. He replied that will be part of what they will do when they come back to the Planning Comm. She asked any variance be contingent that they do that. Comm. Fitzgerald explained they were deferred by Planning to go to the Zoning Bd. for the sign; they are to come back to the Planning Comm. with drawings of what they will do to the building. She wished everyone a happy Easter.

Mary Balbier: Attended a seminar last Thursday sponsored by the Northeast Ohio City Council Assn., with a supervisor with the ODNR as guest speaker, the topic on the heavy deer population in NE Ohio and problems they cause (safety issues and plant destruction). It's a difficult problem with little solution. For question relating to deer, call the Division of Wildlife, Jeff Westerfeld, 330-644-2293 (for hints and a deer situation). She also attended the spaghetti dinner at the school; commenting it was nice to see the kids all helping out with dishes, serving, the nice baskets, and how proud she was to be there. Gave a gentle reminder to vote for the school levy, that it is important. Keep in mind it's a renewal levy. A top notch city needs to have a top notch school system. She believes the administration will someday make this a blue ribbon school system. Congratulated Buffalo Wild Wings, at the former Max and Erma's location. Great location, lots of televisions, fabulous wings, fun place. Today is official grand opening. The Mayor cooked the first batch of wings. Also welcomed Ashley Furniture coming to the city. The city is on the upswing. Regarding the food pantry, there is a need out there, and people don't like to say it; but it's wonderful, and maybe we need to work with the city to get something going. If someone ever needs help, she wanted to let everyone know they can always go to St. Augustine Church on W. 14th in Tremont, for meals, or donations of any kind. Wished everyone a joyous Easter holiday.

Kevin Tanski: A Sustainability Comm. meeting was held April 4th, with discussions for wind and solar power, though nothing has come across this year for any available grants. They also spoke of more efficient lighting at the City Garage, and possible rebates or grants; and a five year plan on maintaining or replacing the heating and cooling systems in the city buildings. The last contractor negotiations with the unions in 2010 the city spend nearly \$60,000; in 2013 the expenditures hit nearly \$73,000. Now there's Ord. 2014-21 amending and expanding the agreement with Zashin and Rich for another \$20,000; bringing the grand total to \$93,000. His point is what point in any of the contracts is the city going to benefit to save tax dollars for the residents for the amount spent on attorney fees? What is the next round of negotiations going to cost when the contracts are up? The units have small memberships; the city needs to take negotiations in our own hands, and stop subcontracting it. He will not support Ord. 2014-21. Wished everyone a happy Easter.

Katie Gallagher: March 27th she moderated the young professionals group for the Marketing and Steering Committee. She was very excited after the meeting about the possibilities for Brooklyn. They group invested in Brooklyn the last few years by purchasing homes here, and they want to stay. There were great ideas for economic development, to revitalize Brooklyn. When asked about service quality, she heard mostly positives. Some commented friends told them they were lucky to have a city that plows their sidewalks. They wanted the city to preserve and bring back more senior services. They also believe the new businesses in the city and the new school construction were positive changes for now, and hoped the city continued working toward making Brooklyn a place with unique stores and restaurants, upgrade the parks, and create a more walkable community for everyone to enjoy the city by bike or foot. She also attended the spaghetti dinner, and thanked for being invited. She, her husband and daughter attended the Easter Egg Hunt. Thanked all the Recreation employees for their work on the fantastic event. In regard to deer, asked about coyotes in the city, as she saw two chasing deer, and wondered if there was any policy for them. Chief Mielke said residents are encouraged to call the Police Dept., and they are keeping track of where they are being seen. In the past traps were set at the Service Garage, and in all the years only one was caught. The Animal Control Office encourages people to stand their ground, wave arms, scream and yell; the coyotes will not attack anything bigger than them.

Councilwoman Pucci suggested if someone sees a coyote to call the non-emergency number, because their numbers are increasing. As far as waving arms, standing ground, a resident told her they are getting bolder and not running away.

MAYOR'S REPORT:

Mayor Balbier: Said the coyote is in every single county in the State of Ohio. We keep getting calls on potholes, and with spring here, the Service Dept. can use hot patch, which is more effective than the cold patch. April 13-19 is National Public Safety Telecommunications Week, to honor emergency dispatchers who work 24 hours a day answering thousands of calls for help every day. Our dispatchers do an excellent job. The County Bd. of Health wishes to advise on mosquitoes (clean gutters, keep lids on trash containers, store wheelbarrows upside down, remove containers that may hold water, clean out roadside drain ditches for proper water flow, etc.) Received the Dept. of Public Works' annual report (high pressure cleaning, televising pipes, etc.) The report is at the reception desk. The Building Dept. turned in its first quarter report (124 permits, over \$2M construction costs, revenue up \$35,000, 57 residential and 105 commercial inspections performed). Ashley Furniture opens May 1. Buffalo Wild Wings officially opened today. He and his wife voted for the school levy already, and would like everyone to vote for it. If we have a good school system, the vacant houses in the city would disappear. Wished everyone a happy Easter.

DIRECTORS REPORTS:

Finance Dir. Enovitch: As of today, General Fund revenues year to date are \$5,675,706.47; expenses are \$4,617,488.76. Revenues ahead of projection by 10%, expenses are right on target. Unencumbered Gen. Fund balance is \$8,490,858.31; total cash balance in bank is \$22,697,230.40.

Service Dir. Verba: The Service Dept. informs residents they must call the Service Garage for a special pickup at 216-635-4232. If it doesn't fit in the container a special pickup must be arranged for Friday, you cannot leave extra items on the treelawn until Friday. The Police Dept. will help crack down on residents to

place rubbish on treelawn before 5 p.m. prior to the scheduled pickup date. An example, last Friday there were 69 scheduled pickups, but while on the route, there was an extra 79 pickups. Do not assume the trucks are driving around looking for items on treelawns. You must call and arrange for the special pickup. Composting has started. Composting goes in a brown bag or garbage can. Plastic bagged composting will be left behind. Pickup is the same day as for regular rubbish and recycling. The backup street sweeper is down and out for another week; the new Vac-All is coming, and back out sweeping the streets in two weeks or sooner.

REQUEST:

Request to advertise for bids for the 2014 street repair program and Historical Society parking lot. **MOTION** by Pucci second by Celcherts to advertise for bids. **VOTE RESULTED:** *Advertise for bids:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(AUTHORIZED)**

LEGISLATION:

ORDINANCE 2014-15, Amending Section 4 of Ordinance 2010-26 Entitled, "Establishing the general admission rates at the John M. Coyne Recreation Center and Natatorium." **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. *Adopt:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2014-17, Amending Section 541.15, "Deposit of Snow" of Chapter 541 Property Offenses of the Brooklyn Codified Ordinances. **MOTION** by Pucci, second by Tanski to adopt as amended. **VOTE RESULTED:** *To Adopt, as amended:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2014-21, Authorizing the Mayor to amend and expand an agreement with Zashin and Rich, LPA to provide and conduct additional labor negotiations on behalf of the City of Brooklyn. **MOTION** by Pucci, second by Celcherts to suspend the rules. Councilwoman Pucci commented we do not have a full time Law Director, so for negotiations we would be paying extra; and her personal opinion is she would rather expend the funds on someone who is an expert in the field and representing the interests of the city. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier. No: Tanski. *Adopt:* Yes: Celcherts, DeMarco, Pucci, Balbier. Abstain: Gallagher. No: Tanski. **(ADOPTED)**

ORDINANCE 2014-22, Amending Section 1 of Ordinance 2013-35, Establishing the registration fee for the Day Camp Program within the Recreation Department. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. *Adopt:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

Councilwoman Pucci had clarification for the vote on Ord. 2014-21, verifying the rules were suspended and it was adopted. It was adopted under suspension.

ORDINANCE 2014-23, Authorizing the purchase of a digital voice recording system for the use of the Brooklyn Police Department in the amount of \$15,995 through State contract. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. *Adopt:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2014-24, Authorizing the purchase of four vehicles and ancillary equipment for the use by the Brooklyn Police Department. **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. *Adopt:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2014-25, To repeal Ordinance 2013-31, entitled "To provide for the policy governing the maximum hours worked for part-time employees for the City of Brooklyn." **MOTION** by Pucci, second by Celcherts to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. *Adopt:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADOPTED)**

Council President Gallagher said that Council has made a concerted effort to make sure they weren't suspending the rules by emergency, though tonight there was a lot. Sometimes it cannot be avoided; things need to be passed. But Council tries to go through three readings for everything, and tonight was an exception to that. The Directors are trying to make sure they provide information as early as possible.

President Gallagher reminded that no action will be taken after Council reconvenes after the executive session.

MOTION by Pucci, second by Tanski to adjourn to executive session relating to personnel matters, with the Mayor, Dir. Verba and Dir. Claussen; and for the potential sale of public land, with the Mayor, Law Dir. and Finance Dir. **VOTE RESULTED:** *Adjourn to Executive Session:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

MOTION by Pucci second by Celcherts to reconvene. **VOTE RESULTED:** *Reconvene:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(RECONVENED)**

There being no further business, **MOTION** by Pucci, second by Demarco to adjourn. **VOTE RESULTED:** *Adjourn:* Yes: Celcherts, Gallagher, DeMarco, Pucci, Balbier, Tanski. No: None. **(ADJOURNED)**

Asst. Clerk of Council

President of Council